

Order Regarding Motion for Sentence Reduction (Modified AO 247)

UNITED STATES DISTRICT COURT
for the
Northern District of Mississippi

United States of America)	
)	
v.)	Case No. 2:03CR075-001-B
)	USM No. 11798-042
JOHNNY HARRIS)	
)	
Date of Previous Judgment: November 12, 2003 (Use Date of Last Amended Judgment if Applicable))	Defendant's Attorney: Federal Public Defender N.D.
)	

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon agreed motion of (X) the defendant, (X) the U.S. Attorney, () the Director of the Bureau of Prisons, () the court, under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

() DENIED (X) GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 94 months **is reduced to 51 months.**

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	25	Amended Offense Level:	23
Criminal History Category:	IV	Criminal History Category:	IV
Previous Guideline Range:	84 - 105 months	Amended Guideline Range:	70 - 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE (Prior to any departures)

- () The reduced sentence is within the amended guideline range.
- (X) The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- () Other (explain):

III. ADDITIONAL COMMENTS: This order becomes effective on the "Effective Date" listed below, and the defendant is to be released by that date. If the sentence imposed is less than the term already served, the sentence is reduced to a "time served" sentence.

Except as provided above, all provisions of the judgment dated November 12, 2003, shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/31/08

/s/ Neal Biggers

U.S. District Court Judge

Effective Date: 4/10/08

(if different from order date)